

FILED IN CHAMBERS
U.S.D.C. Atlanta

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

NOV 28 2007

JAMES N. HATTEN, Clerk
By: *Jenny*
Deputy Clerk

LIBERTY MUTUAL FIRE INSURANCE
COMPANY,

Plaintiff,

CIVIL ACTION NO.

v.

1:07-CV-1516-JEC

APAC-SOUTHEAST, INC.,

Defendant.

ORDER

On November 9, 2007, defendant APAC-Southeast, Inc. filed a Response in Opposition [42] to third-party movant The Insurance Company of the State of Pennsylvania's Motion to Quash APAC's Subpoena of Non-Party The Insurance Company of the State Of Pennsylvania [32].

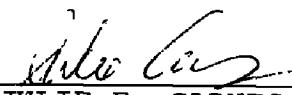
It would appear to the Court that the alternatives suggested by the defendant in their response [42] to the movant's motion [32] would have mooted the dispute. The parties are directed to indicate to the Court by **FRIDAY, DECEMBER 7, 2007**, if the former holds true and if the disputes between the parties can be resolved. The Court encourages the movant and defendant to make every attempt to work matters out, without the need for the Court to expend its resources in resolving a dispute that the parties should be capable of

resolving.

Should the parties be unsuccessful at resolving this matter, the Court will be referring The Insurance Company of the State of Pennsylvania's Motion to Quash APAC's Subpoena of Non-Party The Insurance Company of the State Of Pennsylvania [32], as well as defendant's Motion to Compel Discovery [45] to a magistrate judge for resolution.

The parties should note that the deadline for filing motions for summary judgment shall be suspending pending the final ruling by the magistrate judge on the discovery disputes and a reasonable period thereafter for the disclosure of documents, should the magistrate judge deem that disclosure is appropriate.

SO ORDERED, this 28 day of NOVEMBER, 2007.



JULIE E. CARNES
UNITED STATES DISTRICT JUDGE